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September 13, 2005

VIA FACSIMILE

John M. Berns, Esq.
Merchant & Gould
3200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402

Re: Glaxo Group Limited v. Teva Pharmaceuticals USA, Inc. and Teva Pharmaceutical Industries Limited, Civil Action No. 04-171-KAJ

Dear John:

I am writing regarding the issues we discussed on the phone yesterday, namely: Pharmascience discovery, Teva's documents, depositions, and the discovery schedule.

As I explained, we have made no progress with our efforts to get discovery from Pharmascience in Canada. They have refused to cooperate and now have raised the *Business Records Act* to avoid producing any documents. We request that Novopharm now seek return of, or access to, all documents that were created by Pharmascience, or its predecessor, Pangeo, in support of, or at the request of, Novopharm. The *Business Records Act* should not be a factor for Novopharm. Also, since these are documents that ultimately led to the Teva ANDA product, Novopharm should take whatever steps are necessary to recover them.

With respect to discovery of Teva there are still many discovery requests that are outstanding, either from Glaxo's document requests or the requests made during the depositions. Indeed, many of the documents that have been ordered produced by Judge Jordan have still not been supplied. This lack of documentation has seriously impacted Glaxo's ability to progress the case.

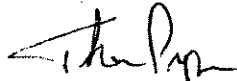
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In addition, Glaxo would like to take the depositions of Subrata Mazumder, Real Duteau, Angelique Masucci, and Annette Mattiuz. As we discussed, we would propose that Subrata Mazumder be deposed on October 7, 2005, and that Real Duteau be deposed on October 14, 2005. Please let me know the availability of those two witnesses on those dates. Also, please let me know the availabilities of the other two witnesses for depositions in October.

Finally, with respect to the discovery schedule, we are fast approaching the time when expert reports will be due and very little substantive discovery has been completed. While we could argue why this is so, I believe it would be in both of our interests to jointly request a 2 to 3 month extension of the discovery deadlines. Please let me know your position with regards to an extension.

Very truly yours,



Thomas J. Puppa